

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
(Charlottesville Division)**

RASHALL M. BRACKNEY-WHEELOCK, PH.D.,))	
)	
Plaintiff,)	
)	Civil Action No. 3:22-cv-35
v.)	
)	
CITY OF CHARLOTTESVILLE, et al.)	
)	
Defendants.)	

DEFENDANT MICHAEL WELLS' MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. 12(b)(6)

COMES NOW Defendant Michael Wells, by counsel, and pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure moves this Court to dismiss, with prejudice, all claims asserted against him in the Complaint filed by Plaintiff, Rashall M. Brackney-Wheelock, for failure to state a claim against Defendant Wells. The Court should grant the Motion for the reasons discussed in the accompanying Memorandum in Support.

Dated: September 19, 2022

Respectfully submitted,

MICHAEL WELLS

By Counsel

/s/ Joan C. McKenna
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Counsel for Defendant Michael Wells

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of September, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to counsel of record.

/s/ Joan C. McKenna
Joan C. McKenna (VSB No. 37812)